

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**NOTICE OF CORRESPONDENCE REGARDING THREE HUNDRED NINETY-THIRD
OMNIBUS OBJECTION (NON-SUBSTANTIVE) OF THE COMMONWEALTH OF
PUERTO RICO AND THE EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO
TO PROOFS OF CLAIM NOS. 179520 AND 179525**

To the Honorable United States District Judge Laura Taylor Swain:

1. On August 25, 2021, the Commonwealth of Puerto Rico (the “Commonwealth”) and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS,” and together with the Commonwealth, the “Debtors”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA” and together with the Commonwealth, COFINA, HTA, and ERS, the “Debtors”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

representative of the Debtors pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² filed the *Three Hundred Ninety-Third Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Late-Filed Claims* [ECF No. 17975] (the “Three Hundred Ninety-Third Omnibus Objection”) to various proofs of claim.

2. The Three Hundred Ninety-Third Omnibus Objection seeks to disallow certain proofs of claim that were late-filed and, accordingly, failed to comply with the terms of the applicable Bar Date Orders³ (collectively, the “Claims to Be Disallowed”), each as listed on Exhibit A thereto. As set forth in the Three Hundred Ninety-Third Omnibus Objection and supporting exhibits thereto, the Claims to Be Disallowed were filed after the applicable Bar Date: (i) June 29, 2018 at 4:00 p.m. (Atlantic Time), for creditors of the Commonwealth, COFINA, HTA, and ERS, or (ii) July 29, 2020 at 4:00 p.m. (Atlantic Time), for creditors of PBA. Accordingly, pursuant to the terms of the Bar Date Orders, each of the holders of the Claims to Be Disallowed are barred from asserting a claim against the Debtors, and the Debtors are discharged from any and all liabilities to such claimants.

3. The Debtors received the attached correspondence from José A. Ríos Collazo (“Ríos Collazo”), a copy of which is attached hereto as Exhibit “A” (the “Ríos Collazo Response”), regarding Proof of Claim No. 179520 (the “First Ríos Collazo Claim”) and Proof of Claim No. 179525 (the “Second Ríos Collazo Claim,” and together with the First Ríos Collazo Claim, the

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

³ Capitalized terms not defined herein shall have the meanings ascribed to them in the Three Hundred Ninety-Third Omnibus Objection.

“Ríos Collazo Claims”). A certified translation of the Ríos Collazo Response is attached as Exhibit “A-1”.

4. On August 12, 2021—over three years after the Commonwealth’s Bar Date—Ríos Collazo filed the Ríos Collazo Claims. Both Ríos Collazo Claims assert liabilities in the amount of \$4,800 arising from allegedly accrued, but unpaid, salary increases purportedly owed by the Puerto Rico Telephone Company.

5. The Ríos Collazo Response consists of a photocopy of one of the Ríos Collazo Claims. It does not, however, provide any explanation for Ríos Collazo’s failure to file a timely claim. Accordingly, because the Ríos Collazo Response does not dispute that the Ríos Collazo Claims were not timely filed and does not provide an explanation for the failure to timely file a proof of claim, the Ríos Collazo Claims should be disallowed, notwithstanding the Ríos Collazo Response.

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Dated: February 2, 2022
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

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